

Form J(1)

**IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction
Appellate Side**

**Present :
The Hon'ble Justice Bibek Chaudhuri**

CRR 2788 of 2022

**Dipankar Bag
Vs.
The State of West Bengal & Anr.**

For the petitioner : Mr.Rafikul Islam Sardar, Adv.

Judgement on : 16.08.2022.

Bibek Chaudhuri, J.

This is an application under Section 482 of the Code of Criminal Procedure assailing an order dated 2nd July, 2022 passed by the Learned Chief Judicial Magistrate, Howrah in GR Case No. 6965/2018.

The impugned order speaks of issuance of warrant of arrest against the accused/petitioner who failed to appear before the Learned Magistrate on 2nd July, 2022.

It is submitted by the Learned Advocate for the petitioner that the petitioner will surrender before the Learned Chief Judicial Magistrate, Howrah and file an application for bail which may be favourably considered by the Learned Magistrate.

This Court is not in a position to pass any direction upon the Learned Magistrate directing him to pass an order of bail in the event of accused person's surrender before the Trial Court.

Therefore, the instant revision is disposed of directing the petitioner to surrender before the Court below within two weeks from the date of this order. In the meantime, execution of warrant of arrest shall be stayed. The Learned Chief Judicial Magistrate is at liberty to consider the application for bail that may be filed by the petitioner in accordance with law without being influenced in any way on the instant order passed by this Court while disposing of the instant revision.

The revision is, accordingly, **disposed of**.

(Bibek Chaudhuri, J.)

Srimanta, A.R.(Ct.)
Item No. 20.